S T A T E O F N E W Y O R K

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I N A S S E M B L Y

January 14, 2009

Introduced by M. of A. MORELLE, GIANARIS, POWELL, MARKEY, CANESTRARI, HOYT, CLARK, GUNTHER, DINOWITZ, MILLMAN, BENEDETTO, FIELDS -- Multi-Sponsored by -- M. of A. ABBATE, CAHILL, GALEF, GOTTFRIED, LENTOL, MAGEE, McENENY, PERRY, PHEFFER, REILLY, J. RIVERA, SCHIMMINGER, SWEENEY -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing distinctive license plates for the "Made in NY" program; and to amend the state finance law, in relation to establishing the Made in New York state film and television production marketing fund

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The vehicle and traffic law is amended by adding a new section 404-x to read as follows:

S 404-X. DISTINCTIVE PLATES FOR THE "MADE IN NY" PROGRAM. 1. ANY PERSON RESIDING IN THIS STATE SHALL, UPON REQUEST, BE ISSUED A DISTINCTIVE "MADE IN NY" LICENSE PLATE OF A DESIGN APPROVED BY THE COMMISSIONER. APPLICATION FOR SUCH LICENSE PLATE SHALL BE FILED WITH THE COMMISSIONER IN SUCH FORM AND DETAIL AS THE COMMISSIONER SHALL PRESCRIBE.

2. A DISTINCTIVE PLATE ISSUED PURSUANT TO THIS SECTION SHALL BE ISSUED IN THE SAME MANNER AS OTHER NUMBER PLATES UPON THE PAYMENT OF THE REGULAR REGISTRATION FEE PRESCRIBED BY SECTION FOUR HUNDRED ONE OF THIS ARTICLE, PROVIDED, HOWEVER, THAT AN ADDITIONAL ANNUAL SERVICE CHARGE OF TWENTY-FIVE DOLLARS SHALL BE CHARGED FOR SUCH PLATE. SUCH SERVICE CHARGE SHALL BE DEPOSITED TO THE CREDIT OF THE MADE IN NEW YORK STATE FILM AND TELEVISION PRODUCTION MARKETING FUND ESTABLISHED PURSUANT TO SECTION NINETY-SEVEN-GGGG OF THE STATE FINANCE LAW AND SHALL BE USED FOR PROGRAMS UNDERTAKEN PURSUANT TO SECTION NINETY-SEVEN-JJJJ OF THE STATE FINANCE LAW. PROVIDED, HOWEVER, THAT ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, FUNDS IN THE AMOUNT OF FIVE THOUSAND DOLLARS, OR SO MUCH THEREOF AS MAY BE AVAILABLE, SHALL BE ALLOCATED FROM SUCH FUND TO

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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THE DEPARTMENT TO OFFSET COSTS ASSOCIATED WITH THE PRODUCTION OF SUCH LICENSE PLATES.

S 2. The state finance law is amended by adding a new section 97-jjjj to read as follows:

S 97-JJJJ. THE MADE IN NEW YORK STATE FILM AND TELEVISION PRODUCTION MARKETING FUND. 1. THERE IS HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE MADE IN NEW YORK STATE FILM AND TELEVISION PRODUCTION MARKETING FUND.

2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO AN APPROPRIATION BY THE LEGISLATURE, ALL MONEYS COLLECTED PURSUANT TO SECTION FOUR HUNDRED FOUR-X OF THE VEHICLE AND TRAFFIC LAW AND ALL OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS FOR THE PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING THEM INTO THE FUND ACCORDING TO LAW.

3. (A) MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR FILM AND TELEVISION PRODUCTION MARKETING PROGRAMS.

(B) AS USED IN THIS SECTION, FILM AND TELEVISION PRODUCTION MARKETING PROGRAMS MEANS ACTIVITIES, APPROVED BY THE DEPARTMENT OF ECONOMIC DEVELOPMENT, TO PROMOTE AND ENCOURAGE THE OCCURRENCE, IN THE STATE, OF FILM AND TELEVISION PRODUCTION.

4. MONIES SHALL BE PAYABLE FROM THE FUND ON THE AUDIT AND WARRANT OF THE COMPTROLLER ON VOUCHERS APPROVED AND CERTIFIED BY THE COMMISSIONER OF ECONOMIC DEVELOPMENT.

5. TO THE EXTENT PRACTICABLE, THE COMMISSIONER OF ECONOMIC DEVELOPMENT SHALL ENSURE THAT ALL MONIES RECEIVED DURING A FISCAL YEAR ARE EXPENDED PRIOR TO THE END OF THAT FISCAL YEAR.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, any rules and regulations required to implement the foregoing provisions of this act may be promulgated on or before such effective date.